UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/863,116	05/22/2001	Farrukh S. Najmi	SUN1P298	9186

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EXAMINER
OSMAN, RAMY M

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *18 August 2005*.

2a) ☒ This action is **FINAL.**   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-12* is/are pending in the application.

   4a) Of the above claim(s) *2,6 and 10* is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-12* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All   b) ☐ Some * c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☒ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Status of Claims

1.   This communication is responsive to the amendment filed on August 18, 2005, where

applicant amended claims 1,5,9, and cancelled claims 2,6,10. Claims 1-12 are pending.

Response to Arguments

2.   Applicant's arguments with respect to claims 1-12 have been considered but are moot in

view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   **Claims 1,3-5,7-9,11 and 12 rejected under 35 U.S.C. 103(a) as being unpatentable**

over Bracho et al (US Patent No 5,870,605) in view of Laitinen (XML Messaging, Tik-

11.590, 2/12/2000) in further view of Brooke et al (US Patent No 6,763,343).

5.   In reference to claims 1,5 and 9, Yee teaches a method, an apparatus and a computer

program product providing server side filtering of a message in a distributed network,

comprising performing on a server the steps of:

(a) determining if the message is to be sent to a topic subscriber (column 2 line 50 –

column 3 line 30, column 4 lines 30-51 and column 5 lines 9-47, Bracho discloses a publisher

sending events to a subscriber, via hubs);

Bracho fails to explicitly teach wherein the determining is by a JMS provider. However,

Laitinen teaches that it is well known in the art that in a Publish/Subscribe model, XML

messaging is performed utilizing JMS (sections 3.1, 2.5.6, 2.5.7, 2.5.10). Laitinen discloses a

JMS provider that routes XML messages through its hub (2.5.7).

It would have been obvious for one of ordinary skill in the art to modify Bracho wherein

the message is sent by a JMS provider since this is the standard when sending XML messages in

a Publish/Subscribe model.

(b) determining if the message conforms to a filter (column 10 lines 15-30 & 47-60,

column 11 lines 15-50 and column 15 lines 6-35, Bracho discloses hubs – which are equivalent

to servers – that determine if events conform to a filter and then filters the events);

(c) transforming the message (column 10 lines 15-30 & 47-60, column 11 lines 15-50 and

column 15 lines 6-35, Bracho discloses filtering events);

Bracho fails to explicitly teach wherein the message is an extensible markup language

(XML) message that conforms to an XML schema specified by a selected XSLT filter; and

transforming the XML message. However, Brooke teaches a web server processing XML

messages for transformation. Brooke discloses XML message that conforms to an XML schema

specified by a selected XSLT filter for the purpose of customizing the message for a recipient

(column 5 line 60 – column 6 line 15, column 6 line 35 – column 7 line 5 and column 7 lines 25-

67).

It would have been obvious for one of ordinary skill in the art to modify Bracho by

making XML message that conforms to an XML schema specified by a selected XSLT filter, as

per the teachings of Brooke for the purpose of customizing the message for a recipient.

(d) sending the message to the topic subscriber (column 2 line 50 – column 3 line 30 and

column 15 lines 6-35).

6.   In reference to claim 3,7 and 11, Bracho teaches the method, the apparatus and the

computer program product provided in claims 1,5 and 9 respectively. Bracho fails to explicitly

teach wherein the transforming is based up the specified XSLT filter and an associated XSLT

engine. However, Brooke discloses XSP processor for transforming the XML document based

on XSL (column 6 line 35 – column 7 line 5, column 7 lines 25-67 and column 8 lines 25-67).

It would have been obvious for one of ordinary skill in the art to modify Bracho wherein

the transforming is based up the specified XSLT filter and an associated XSLT engine as per the

teachings of Brooke since a processor is inherently necessary to perform the transformation.

7.   In reference to claim 4,8 and 12, Bracho teaches the method, the apparatus and the

computer program product provided in claims 1,5 and 9 respectively, wherein if determining (b)

determines that the XML message conforms to a different schema than specified with the XSLT

filter, then sending the original untransformed XML message to the topic subscriber. (column 13

lines 20-50 and column 15 lines 6-35)

8.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
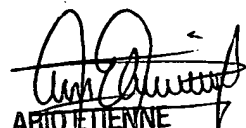
A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ramy M. Osman whose telephone number is (571) 272-4008.

The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RMO
October 30, 2005

ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100